

Hon. Ricardo S. Martinez

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

COSMOS GRANITE (WEST), LLC, a  
Washington limited liability company,

Plaintiff,

v.

MINAGREX CORPORATION, d/b/a MGX  
Stone,

Defendant.

Case No. 2:19-cv-01697-RSM

**STIPULATED MOTION AND ORDER  
TO SEAL EXHIBITS 1-3 ATTACHED  
TO THE DECLARATION OF RACHEL  
S. BLACK IN SUPPORT OF  
PLAINTIFF’S OBJECTIONS TO  
DEFENDANT’S MOTIONS *IN LIMINE***

**Noted on Motion Calendar:  
November 1, 2021**

Pursuant to Local Civil Rule 5(g), Plaintiff, Cosmos Granite (West), LLC (“Cosmos”) and Defendant, Minagrex Corporation d/b/a/ MGX Stone (“Minagrex”) jointly request that the Court enter an order to Seal/Redact Exhibits 1–3 to the Declaration of Rachel S. Black in Support of Plaintiff’s Objections to Defendant’s Motions *in Limine* (“Black Decl.”). Plaintiff contends that Exhibits 1 and 2 contain confidential information pursuant to the Protective Order entered in this case. Defendant takes no position concerning the confidentiality of Exhibits 1 and 2, but contends that Exhibit 3 contains confidential information pursuant to the Protective Order entered in this case.

Plaintiff’s position is that the designation of Exhibits 1 and 2 as sealed should be maintained to protect the legitimate privacy interests of Plaintiff in accordance with the Protective Order issued in this case. *See* Dkt. #16. Exhibits 1 and 2 contain confidential, proprietary, and private information

1 that Plaintiff designated as Confidential pursuant to and consistent with the Protective Order entered  
 2 in this case, because it contains previously nondisclosed and confidential and sensitive financial  
 3 and business information concerning Plaintiff, which is a privately owned company. Plaintiff has a  
 4 legitimate business interest in keeping such information private, and thus requires that this  
 5 document be filed under seal pursuant to Paragraphs 2.2 (c) and (g) of the Protective Order. Dkt.  
 6 #16.

7 Defendant's position is that Exhibit 3 should be sealed to maintain the legitimate privacy  
 8 interests of Defendant in accordance with the Protective Order issued in this case. See Dkt. #16.  
 9 Exhibit 3 contains confidential, proprietary, and private information that Defendant designated as  
 10 Confidential pursuant to and consistent with the Protective Order entered in this case, because it  
 11 contains previously nondisclosed and confidential and sensitive business information concerning  
 12 its sales and other commercial information pursuant to Paragraph 2.2(c) of the Protective Order.  
 13 Dkt. #16.

14 After review of the referenced Exhibits, ¶ 4.4 of the Stipulated Protective Order and Local  
 15 Rule 5(g), Minagrex and Plaintiff both believe that a less restrictive alternative is not sufficient to  
 16 protect the confidential information referenced above because redaction of the same would  
 17 substantively frustrate the purpose of its admission.  
 18  
 19

20 Dated: November 1, 2021

By: /s/ Rachel S. Black

Rachel S. Black, WSBA #32204

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Dated: November 1, 2021

By: /s/ Betsy A. Gillaspy (w/permission)

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**CERTIFICATE OF CONFERENCE**

Counsel for Plaintiff conferred with counsel for Defendant in a telephonic meet and confer on November 1, 2021 (Chelsea Samuels and Walker Young participated), and counsel agreed that, per Minagrex's and Plaintiff's representations concerning the confidentiality of the documents at issue, a Stipulated Motion Seal was proper to protect the confidential information, and that there was no alternative to filing under seal.

/s/ Rachel S. Black

Rachel S. Black

**ORDER**

Based upon the foregoing and for good cause shown, the Court ORDERS that the Stipulated Motion to Seal is GRANTED.

DATED this 5<sup>th</sup> day of November, 2021.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

**Presented by:**

By: /s/ Rachel S. Black

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